



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 7, 2012  
Environment Committee

Testimony Submitted by Commissioner Daniel Esty  
Presented By Presented By Macky McCleary, Deputy Commissioner

**Raised House Bill No. 254 - AN ACT RESTRICTING THE APPLICATION OF FERTILIZERS THAT CONTAIN PHOSPHATE**

Thank you for the opportunity to present testimony regarding Raised House Bill No. 254 – An Act Restricting the Application of Fertilizers that Contain Phosphate. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP supports this bill. Nutrients such as phosphorus and nitrogen are essential and naturally occurring elements for plant growth. However increased levels of these nutrients jeopardize water quality resulting in excessive algae and aquatic plant growth (eutrophication) which impairs aquatic life and recreational use and, in limited cases, cause health concerns. While sewage discharges are the leading source of nutrients to our waters, fertilizers and polluted runoff also contribute high levels of nutrients. Phosphorus in particular is the limiting nutrient in freshwaters.

In Connecticut, and nationally, nutrient enrichment is a significant water quality issue. The United States Environmental Protection Agency (“EPA”) is requiring aggressive action by states to limit nutrients to surface waters. There are 21 freshwater bodies in the state where phosphorus is identified as the primary cause of water impairments and a threat to many other freshwaters. DEEP has been working with the USEPA on a statewide nutrient control strategy for our waters that not only includes wastewater treatment discharges but also fertilizer sources and polluted runoff. At least 11 states restrict phosphorus fertilizer use or sale including Maine, New Jersey, New York, and Vermont. The USEPA, Connecticut and the other New England states continue to work together, and with the fertilizer industry, to assess fertilizer formulas and best use practices for lawns to reduce excess nutrients to our waters.

This bill will assist in overall efforts to control excess nutrients and restore and maintain water quality. Research has shown that except for establishment of a new lawn, phosphorous is not necessary for sustainable lawn growth. The bill will restrict phosphorous to when it is necessary, provide a minimal protective area to reduce runoff to waters, and inform and educate the public about water quality concerns.

The Department of Agriculture may have some concerns with the definitions in the bill. DEEP is happy to work with the Department of Agriculture, the Environment Committee and the proponents of the bill to resolve any such concerns.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov)